



EXHIBIT B-1
WIT: Wallentino
DATE: 11-20-15
ALPINE COURT REPORTING

172

- 1 Q. And at that point you're hollering from your
2 position down by your vehicle, is that correct?
3 A. Yes.
4 Q. And where was Cook at this point, do you know?
5 A. You can see him.
6 Q. Pardon me?
7 A. You can see him.
8 Q. Just tell me where he was, sir. I know what I can
9 see. I want to know what you can see.
10 A. I can see him on the back side of the garage.
11 Q. And that was the plan, was it not, he was to be
12 there and you were to be down front by your car so
13 you'd be covered if he came out from both sides, am
14 I correct?
15 A. Yes.
16 Q. Let's move on.
17 (Video was played.)
18 BY MR. LILLEY:
19 Q. Okay. Do you hear yourself again?
20 A. I do.
21 Q. What did you say?
22 A. "Drop the gun".
23 Q. Okay. Now at this moment are you claiming that
24 there was any gun pointed in your direction?
25 A. It was about to be.

173

- 1 Q. Sir, at this point --
2 A. No.
3 Q. -- was there any gun pointed in your direction up to
4 this point? Please listen to my question.
5 MR. MARCHESI: When you say at this point,
6 what's the time on this video?
7 MR. LILLEY: Well, the time on the video is
8 6.25.
9 Q. Can you see the video all right, sir?
10 A. I can.
11 Q. At this point you're not claiming that this man
12 pointed the gun at you, are you?
13 A. No.
14 Q. Okay. However, his eyes would be looking over in
15 the direction of your car. Are you suggesting that?
16 A. Yes.
17 Q. But the gun is pointed up in the air, correct?
18 A. Yes.
19 Q. And do you know whether it's cocked or not?
20 A. I can't tell.
21 Q. Could you, from your vantage point, at any time?
22 A. No.
23 Q. Let's stop there. Do you claim from when he pointed
24 his gun in the air at the last reference I made to
25 this reference at 6.33 that he pointed the gun

174

- 1 anywhere in your direction?
2 A. Yes.
3 Q. You are, okay. Let's go back and look then.
4 (Video was played.)
5 BY MR. LILLEY:
6 Q. I want you to tell me when you think that he is
7 pointing the gun in your direction. Just say "now"
8 and I will stop it, okay?
9 A. Okay.
10 (Video was played.)
11 A. Now.
12 BY MR. LILLEY:
13 Q. You think he is pointing the gun at your cruiser at
14 that time?
15 A. Yes.
16 Q. That's at 6.31. Isn't the barrel of the gun
17 pointing up in the air?
18 A. From my vantage point it looked like he was pointing
19 it at me.
20 Q. You could see him clearly?
21 A. Yes.
22 Q. What position were you at that time, were you inside
23 the vehicle, outside or do you know?
24 A. I was behind my engine block.
25 Q. Okay. I'm going to run it again. See if there's

175

- 1 any other time that you claim this gun was pointed
2 at you or in your vicinity.
3 (Video was played.)
4 BY MR. LILLEY:
5 Q. So far nothing -- I am at 6.35 now -- other than
6 what you've just identified?
7 A. No.
8 Q. Let's keep going.
9 (Video was played.)
10 Q. Are you suggesting that any of what you've seen on
11 the video, and we're now at 7.02, that he pointed
12 the gun a second time at you or at your area?
13 A. No.
14 (Video was played.)
15 Q. Do you know who is talking at that time that we are
16 listening to, Officer Mangino?
17 A. I believe it's Sergeant Marion.
18 Q. Not Cook?
19 A. It's Officer Cook speaking with Sergeant Marion.
20 Q. Okay. And where was Sergeant Marion?
21 A. I learned after the fact that they were over by
22 provost.
23 (Video was played.)
24 BY MR. LILLEY:
25 Q. Do you know who that was talking about shutting down

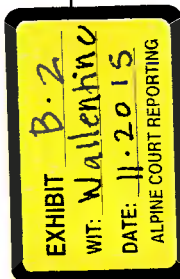




EXHIBIT B-3
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